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September 9, 2015

**VIA ECF**

Hon. Joseph F. Bianco  
United States District Court, EDNY  
920 Federal Plaza  
Central Islip, New York 11722

Re: United States v. Michael Smith  
Indictment # 14 CR 485 (JFB)

Dear Judge Bianco;

I represent Defendant Michael Smith in the captioned Indictment. This matter is set for decision on September 14, 2015. That date is Rosh Hashanah, and I will not be available.

We respectfully request that the Court reschedule this appearance to September 22 at 10:30 AM. Ms. Savona confirms the Court's availability, and AUSA Christopher Caffarone has no objection.

As we have already set a trial date and the operation of the Speedy Trial Act has been waived until October 26, no additional waiver is necessary.

Thank you for your courtesy and consideration.

Respectfully yours,

JOHN S. WALLENSTEIN

JSW/hs  
cc: AUSA Christopher Caffarone (by ECF)